

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

DAVID LEON SUTTLE,)	
)	
Petitioner,)	
v.)	NO. CIV-13-1099-HE
)	
JOHN B. FOX, Warden,)	
)	
Respondent.)	


ORDER

Petitioner David Leon Suttle, a federal prisoner appearing *pro se*, filed this action seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Consistent with 28 U.S.C. § 636(b)(1)(B), the case was referred to Magistrate Judge Shon T. Erwin, who recommends that the action be dismissed on filing. Objections to the magistrate judge’s Report and Recommendation were due by December 2, 2013.

Petitioner, having failed to object to the Report and Recommendation, waived his right to appellate review of the factual and legal issues it addressed. United States v. 2121 E. 30th St., 73 F.3d 1057, 1059 (10th Cir. 1996); *see also* 28 U.S.C. § 636(b)(1)(C) (“A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations *to which objection is made.*” (emphasis added)). Accordingly, the court **ADOPTS** Magistrate Judge Erwin’s Report and Recommendation [Doc. #7], and the action is **DISMISSED**.

IT IS SO ORDERED.

Dated this 10th day of December, 2013.



JOE HEATON
UNITED STATES DISTRICT JUDGE